



Austin City Council

MINUTES

APRIL 17, 1986 - 1:00 P.M.

For

Council Chambers, 307 West Second Street, Austin, Texas

City Council

Frank C. Cooksey
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Mark Rose
Smoot Carl-Mitchell
Sally Shipman
George Humphrey
Charles E. Urdy

Jorge Carrasco
City Manager

Elden Aldridge
City Clerk

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the presence of all Councilmembers.

MINUTES APPROVED

Council approved minutes for the regular meeting of April 3, 1986 and special meetings of April 8 & 9, 1986. (4-0 Vote, Councilmember Rose and Urdy and Mayor Pro Tem Treviño out of the room.)

CITIZEN COMMUNICATIONS

Sam A. Hoerster, III talked about City funded abortions. Mr. Ron Rhea and Mr. John A. Corry were not present to speak. Mr. Bill Carter discussed recycling and related purchasing policy of the City. Mr. Richard Hardin discussed affordable housing and Ms. Lori Cervenak-Renteria discussed proposed convention center site.

RECESS

Council recessed from 1:50 p.m. to 1:55 p.m. for Austin Industrial Development Commission meeting.

METROPOLITAN GOVERNMENT REPORT

Dr. Gronouski presented the Metropolitan Government Report. He said they will have ten studies when the report is completed by June 6, 1986. There will be a full report for Council on or before July 31, 1986.

ECONOMIC DEVELOPMENT COMMISSION

Rebecca Heflin, chairperson, Economic Development Commission, reported on proposed Watershed Ordinance. She asked Council not to vote on the ordinance until her commission and other boards and commissions have reviewed.

ITEM POSTPONED

Council postponed until April 24, 1986 consideration of amending the 1985-86 Annual Operating Budget by transferring \$100,000.00 from the General Fund Ending Balance to the Growth Services Fund and appropriation of funds to Planning and Growth Management for professional services associated with the creation of the Edwards Aquifer Conservation District.

OLD BUSINESS - ORDINANCES

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion:
(7-0 Vote)

Abandoned or Junked Vehicles

Amended an ordinance relating to abandoned or junked vehicles.

OLD BUSINESS - RESOLUTIONS

Contracts Approved

DAVIS WATER & WASTE
INDUSTRIES, INC.
516 1st Street
Tallevast, Florida

- Ferrous Sulphate Heptahydrate
Liquid, Water & Wastewater
Department
Twelve (12) Month Supply
Agreement
Total \$76,725.00

HENNA CHEVROLET
7522 North IH-35
Austin, Texas

- Sixty-one (61) Sedans, Vehicle
& Equipment Services Department
Total \$547,055.00 86-0076-CM

Bid Award:

- Fifteen (15) Tractor Loaders,
Vehicle & Equipment Services
Department
Total \$338,751.00 86-0073-CM

(a) RIVER CITY MACHINERY
12949 Research Blvd.
Austin, Texas

- \$265,857.00

(b) TOM FAIREY COMPANY
P. O. Box 755
Kyle, Texas

- \$72,894.00

Item Postponed

Postponed for one week is consideration of an amendment to cooperative agreements for professional services for creation of the Edwards Aquifer.

Task Force on Commission for Women

Approved adding two groups as representatives to the Task Force on Commission for Women, the Black Professional and Business Womens Association and the Mujeres de East Austin.

Brown & Root Settlement Monies

Approved postponement of action on the reduction of rates with the Brown and Root Settlement monies.

Councilmember Shipman stated any action should be postponed until Congress completes action on tax reform

Architectural Excellence Commission

Approved creation of an Architectural Excellence Commission.

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire the following tract of land for the Brodie Lane Phase II Project:

- (1) Fee simple title to 1566 square feet of right-of-way out of Lot 1, Kincheon Subdivision Section 2 in the Theodore Bissell League in the City of Austin, Travis County, Texas for street improvements.

(6-0 Vote, Mayor Pro Tem Trevino abstained.)

CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

Capital Improvements Program

Approved receiving and accepting work to pave Kramer Lane, East and West consisting of approximately 27 blocks. CAPITAL IMPROVEMENTS PROGRAM No. 78/62-21.

Hill Country Roadway Ordinance

Granted a waiver from the Hill Country Roadway Ordinance height restriction and area requirement for 11403 Zimmerman Lane (rear of tract located at intersection of RM 620 and Zimmerman Lane).
C14p-86-001.

Item Postponed

Postponed to April 24, 1986 is an ordinance authorizing Yellow-Checker Cab Company, Inc. to operate 130 taxicabs in the City of Austin.

Zoning Ordinances

Amended Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

- a. CHARLES O. BURKE, JR. 6600-6700 Enterprise From "SF-3" to "MF-2"
ET AL Court
By Kristaponis, Gregory
& Associates
C14-85-363

Second and third readings. First reading on February 6, 1986, (7-0). Conditions have been met as follows:
Restrictive Covenant incorporating conditions imposed by Council has been executed.

- b. GUNNAR WALLIN 2507 Howard Lane From "GR" to "CS"
C14r-85-357

Second and third readings. First reading on February 6, 1986, (7-0). Conditions have been met as follows: (1) Development restricted to that shown on site plan attached as Exhibit "A" to the ordinance (2) Restrictive Covenant incorporating conditions imposed by Council has been executed.

- c. CITY OF AUSTIN 3006 Westlake Drive From "LA" to "P"
ELECTRIC UTILITY
By Gilbert Smith
C14-85-347

Second and third readings. First reading on January 9, 1986, (6-0). Mayor Pro Tem John Trevino, Jr. absent. No conditions to be met.

- d. CITY OF AUSTIN Northwest corner of From "GR", "MF-2",
By Office of Land Duval Road & Angus "LI", Interim "LI",
Development Services "SF-2" and Interim
C14-85-244 "SF-2" to "SF-2",
(part 9) "SF-3" and "RR"

ORDINANCE

Heard and granted March 20, 1986, (7-0). No conditions to be met.

- e. RIVERSIDE BUSINESS PARK 5301 E. Riverside Drive
 By Monica Schwanitz
 C14r-85-020
- From "SF-3" and Interim
 "SF-2" to "IP"
FIRST READING ONLY

First reading only. Heard and granted September 5, 1985.
 (7-0). Conditions have been met as follows: Restrictive
 Covenant incorporating conditions imposed by Council has been
 executed.

- f. CARTER 13545-13591
 INVESTMENTS
 By Bury &
 Pittman, Inc.
 C14r-85-365
- From "I-SF-2"
 To "GR"
- EMERGENCY PASSAGE OF ORDINANCE

(Passed later in the day on Councilmember Rose's motion, Councilmember
 Shipman's second, 6-0 Vote, Mayor Pro Tem absent at that point.)

Capital Improvements

Amended the FY 1985-86 Capital Improvements Program by:

- a. Appropriating the remaining \$12,600,000.00 appropriation
 which was originally scheduled to be appropriated in
 FY 86-87 for the Onion Creek Water and Wastewater
 Treatment Plant Expansion, Phase III Project. CAPITAL
 IMPROVEMENTS PROGRAM 85/23-16.

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion,
 Councilmember Shipman's second, adopted the following resolutions
 in one consent motion: (7-0 Vote)

Release of Easements

Authorized release of the following easement:

- a. A portion of the Public Utility Easement along the east
 side of Lot 4, Block B, Scofield Farms, Phase I, Section
 2-A, 12801 Meehan Drive. (Request submitted by Mr.
 Melvin Lindsey of Curington and Associates on behalf of
 N.P.C. Inc.)

Capital Improvements Program

Approved acquisition of two (2) tracts of land for East William
 Cannon Drive/North Bluff Drive Phase III Street Improvement Project.
 CAPITAL IMPROVEMENTS PROGRAM No. 78/62-32.

Capital Improvements Program

Approved acquisition of a tract of land for the Duval Road Phase II Project for the purpose of street widening. CAPITAL IMPROVEMENTS PROGRAM No. 79/62-03

Approved acquisition of a tract of land for the construction of a fire station on Davis Lane, 785 feet west of Brodie Lane. CAPITAL IMPROVEMENTS PROGRAM No. 85/83-05.

Approved acquisition of a 2.829 acre (123,229 square feet) tract of land for the purpose of U.S. Highway 290/S.H. 71 right-of-way. CAPITAL IMPROVEMENTS PROGRAM No. 85/62-02.

Approved the following change orders:

- a. In the amount of \$33,675.55 to Austin Engineering Company for Cameron Road Phase I & II Paving and Drainage Improvements. (0.88% increase of original contract) CAPITAL IMPROVEMENTS PROGRAM No. 83/22-04
- b. In the amount of \$134,019.80 to Austin Engineering Company for Cameron Road Phase I & II Paving and Drainage Improvements. (3.5% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 85/22-08.
- c. In the amount of \$99,000.05 to Staker Paving of Texas for installation of runway/taxiway guidance signs and illuminated wind socks on the airfield at Robert Mueller Municipal Airport. (3.5% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 79/81-21.

Contracts Approved

Approved the following contracts:

CAPITAL EXCAVATION COMPANY
5506 Hwy. 290 W.
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of the Austin Police
Department Emergency Driving
Course, Public Works Department
Total \$508,878.10 C.I.P. 81/87-06

Bid award:

- CAPITAL IMPROVEMENTS PROGRAM -
Traffic Signal Installation,
Urban Transportation Department
Total \$1,000,104.00 C.I.P. No.
84/88-01
- (1) SAFETRAN TRAFFIC SYSTEMS,
INC.
1485 Garden of the Gods Road
Colorado Springs, Colorado - Item 1 - \$970,920.00
- (2) KENIRON, INC.
2027 Park Street
Houston, Texas - Item 2 - 29,184.00

- REEDRILL
Highway 1414 North
Denison, Texas - Hole Digger, Vehicle and Equipment
Services Department
Total \$81,004.00 86-0154-CM
- GENERAL ELECTRIC COMPANY
8101 Cameron Road, Suite 201
Austin, Texas - Portable Radios, Vehicle and
Equipment Services Department
Total \$108,281.25 86-S343-BD
- ENERGY PLANT CONSTRUCTORS, INC.
9700 Richmond Avenue
Houston, Texas - CAPITAL IMPROVEMENTS PROGRAM -
Contract No. 2 of the South
Austin Regional Wastewater Treat-
ment Plant Expansion and Improve-
ments, Public Works Department
Total \$8,657,190.00 C.I.P. No.
85/23-16

Items Postponed

Postponed the following:

Bid award:

- Asphalt Concrete, Public Works
Department
Twelve (12) Month Supply Agreement
Award shall be made by the
progressive purchasing method
from low to high bid.
Total \$613,602.00 86-0156-CM
- (1) AUSTIN ROAD COMPANY
428 East Anderson Lane
Austin, Texas - Items 1, 3-6, 8 - \$216,750.00

- (2) PIONEER AGGREGATES - Items 2 & 7 - \$396,852.00
8900 Ramirez Lane
Austin, Texas

License Agreement

Entered into the following License Agreement:

- a. To allow the encroachment of a private conduit and fiberoptic cable across the Kramer Lane right-of-way 2100 block. (Request submitted by Mr. Frank Matchett of IBM Corporation on behalf of the adjoining property owners.)

Social Policy Advisory Committee

Approved adopting policy recommendations regarding contract funding for human services agencies as submitted by the Social Policy Advisory Committee.

Item Postponed

Postponed approving the transfer of the franchise afforded to Yellow-Checker Cab Company of Austin, Inc. to operate a taxicab service in Austin to Yellow-Checker Cab Company, Inc.

Public Hearings Set

Set public hearings on the following:

- a. Appeal of Building Standards Commission demolition order on the accessory structure located at 3515 Webberville Road: April 24, 1986 at 3:00 p.m.
- b. Southern Union Gas Franchise: May 15, 1986 at 4:00 p.m.

OAK WILT CONTROL PROGRAM

Councilmember Rose introduced to Council a discussion of the Oak Wilt Control Program.

Charles Jordan, Director of Parks and Recreation, said "we can identify the problem, we can share information because we are running tests on our park sites, we will share with the public what works and what does not work, and we can participate in the public education, but there is no way that government can solve this problem. We are going to need the public to get involved but they are going to have to take care of their private properties because we will have our hands filled trying to deal with public land."

The City Arborist John Giedraitis showed slides of the trees of Austin. The infection gets into the water system of the tree. The tree

then seals itself off within itself, which is the way a tree heals itself. When it does that it is like a self-destruct mechanism because it plugs up its own tubes and dies...it literally wilts to death for lack of water. As the fungus moves from tree to tree through the roots, large numbers of trees can be killed quickly. Insects can also spread the disease when they move from tree to tree.Mr. Giedraitis said the epidemic is now in the Kerrville area but it is also in the Oak Hill and Rollingwood sections.....Mr. Giedraitis said they are concerned with the Travis Heights area where dozens of trees have been killed. Other neighborhoods with confirmed or suspected live oak wilt include Westfield, Enfield, Highland Hills, Northwest Hills, Barton Hills, Barton Village, Southwest Hills, Delwood, Hyde Park, Windsor Park, Woolridge, Crown Ridge, Walnut Forest, North Park Estates, Balcones Woods, Walnut Crossing, Summit Oaks, Anderson Mill, Northwest Balcones, Silver Hills, Northwest Oaks and others.Since there are no preventative treatment and no cure once the tree is infected the goal of the oak wilt management program will be to bring together various groups to develop an effective disease control program. They will do mass survey this coming summer to find out where it is, how fast it is moving and how big a problem it is both in the parks and neighborhoods. The citizens will be informed what to do such as limiting the importation of firewood from the hill country; cut down red oaks as soon as they are infected; and other control methods. An urban task force on oak wilt will be formed, also. Another element will be to eradicate the disease from city parks. The City will also be working with University of Texas and Texas A&M to find a way for control. Replanting will be done in areas where oak wilt has devastated the trees.

ARTS COMMISSION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, passed through second and third readings of an ordinance amending Chapter 10-2 of the 1981 Austin City Code by establishing, defining, and regulating the Arts Commission size, terms, selection and procedures. (6-0 Vote, Councilmember Urdy out of the room.)

DEFINITION AND REGULATIONS OF RESTAURANT USES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, passed through second reading of an ordinance amending Chapter 13-2 and 13-2A (Zoning Regulations) to provide for definitions of and regulations for restaurant uses. (7-0 Vote)

Prior to the vote, Dave Pollis of Taco Bell and Austin Restaurant Association said they oppose exclusion of fast food restaurants.

At this point Mayor Pro Tem Trevino left the Council Chamber, due to illness.

WATERSHED ORDINANCE

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, passed through second reading of the Comprehensive Watershed Ordinance. (4-0 Vote, Councilmembers Rose and Urdy abstained, Mayor Pro Tem Trevino absent.)

Prior to the vote, the following persons spoke, giving their views: Linda Hanson, Jim O'Donnell, Wynne Selby, Dusty Thames, Frances Schenken, Terry Bray, Joan Hallbacker, Daniel Llanes Neal McDonald, Jim Camp, Bruce Byron, Phil Savoy, Janet Klotz, Bert Cromack, Chip Harris, Dorothy Richter, Brooks Kasson, Claudette Lowe, Jay Powell and Shudde Fath.

CONTRACTS APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Rose's second, adopted a resolution approving the following contract:

INSTITUFORM TEXARK,
INC.
4001 Airport Frwy.,
Suite 500
Bedford, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Grooms Street
Drainage Pipe Rehabilitation,
Public Works Department
Total \$189,970.00 C.I.P. No.
85/60-03

(5-0 Vote, Councilmember Urdy out of the room, Mayor Pro Tem Trevino absent.)

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, adopted a resolution approving the following contract:

WHITE'S MINES, INC.
112 Travis Street
San Antonio, Texas

- Gold Mix Limestone Rock Asphalt,
Street and Bridge Division, Public
Works Department
Twelve (12) Month Supply Agreement
Total \$126,357.00

CONTRACT POSTPONED

Postponed until a public hearing is held April 24, 1986 at 6:30 is a contract with Babcock & Wilcox Company for supply and erection of the boiler and air pollution control equipment for the City of Austin Waste-To-Energy Project, Electric Utility and Public Works Departments, for a total of \$20,462,616.00. C.I.P. No. 85/12-05.

ITEM POSTPONED

Postponed for 30 days is consideration of approval of the following approach main: 286 St. Edwards University, Water (City cost participation \$123,605.00)

CAPITAL IMPROVEMENTS PROGRAM

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, adopted resolutions approving of the following change orders:

- (1) In the amount of \$347,775.00 to Clearwater Constructors, Inc. for Albert H. Ullrich Water Treatment Plant Expansion, Contract 1. (6.7% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 73/22-98
- (2) In the amount of \$59,365.00 to Panhandle Construction Company for Mockingbird Hill, Sections 1 & 2, Proposed 8-inch wastewater line, Phase 2-A contract. (9.22% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 85/23-09

RECESS FOR EMERGENCY SPECIAL MEETING

Council recessed at 5:50 p.m. for an Emergency Special Meeting and resumed its regular meeting at 5:55 p.m.

ITEM PULLED

Pulled from the agenda was a resolution to consider acquisition of a tract of land for the construction of a fire station on Austin Park Lane and Braker Lane. CAPITAL IMPROVEMENTS PROGRAM No. 83/83-02

WATER & WASTEWATER AGREEMENT

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, adopted a resolution authorizing execution of an agreement and supplemental agreement on water and wastewater service between the City of Austin and Springwoods Municipal Utility District. (4-0 Vote, Councilmembers Carl-Mitchell and Urdy voted No, Mayor Pro Tem Trevino absent.)

FIRE PROTECTION SERVICES

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, adopted a resolution authorizing an agreement between the City of Austin and the North Central Austin Growth Corridor MUD No. 1 for the provision of fire protection services. (5-0 Vote, Mayor Pro Tem Trevino absent, Councilmember Urdy out of the room.)

WATER SYSTEM

The Council, on Councilmember Rose's motion, Councilmember Urdy's second adopted a resolution authorizing execution of the amended agreement for construction improvements to the City of Austin's Water System in the Northwest "A" and Northwest "B" Pressure Zones (West Bull Creek Area). (5-0 Vote, Mayor Pro Tem Trevino absent, Councilmember Humphrey out of the room.)

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss matters of land acquisition, litigation and for personnel matters. No official action of the City Council will be taken on any of these matters unless such item is specifically listed on the agenda:

Pending Litigation, including but not limited to, pursuant to Section 2, paragraph e:

- (1) Trinity-Twelve, Inc. vs. City of Austin et al.
- (2) City of Austin vs. Bastrop County, Texas et al.
- (3) PUC Docket No. 6649, application of Estates of Barton Creek Utilities, Inc.
- (4) PUC Docket No. 6560, Petition for Review of Certain Rate Making Actions by the City of Austin and City of Austin vs. Public Utility Commission.

RECESS

Council recessed at 6:20 p.m. and resumed its recessed meeting at 7:15 p.m.

PUBLIC HEARING CANCELLED

Council was scheduled to continue discussion of a resolution regarding the establishment of Austin as a City of Refuge at 7:00 p.m. Mayor Cooksey gave the following speech and then cancelled the hearing.

(TRANSCRIPT FOLLOWS)

J. PUBLIC HEARING

7:00 P.M. - Continue discussion of a resolution regarding the establishment of Austin as a City of Refuge. (Mayor Frank C. Cooksey).

MAYOR: Would Councilmembers please take your places so we can begin? I believe that Councilmember Trevino is still at home ill and probably will not be with us again today. Before we start, I want to make a statement and give you some indication of where we are going and what we're doing here tonight. This week I went to New York on a bond rating trip for the City of Austin. As a part of that trip, when I came into the City of New York, I looked, as I always did and always do, for the landmarks. One of those landmarks that I always look for when I come into the City of New York, is the Statue of Liberty. That statue is being refurbished this year by the American people. It's a symbol of liberty and justice throughout this world. It's a symbol for those who are deprived through the years. It's a symbol for those who throughout this land have come to this land because it is a place of refuge: a place of refuge for those who have suffered religious oppression and political oppression. That great poem which has been put to music comes to my mind when I see the Statue of Liberty: Give me your tired, your poor, your hungry masses yearning to be free. The reason we are refurbishing the Statue of Liberty is that it continues to be a symbol of freedom. We're not taking it down. We are refurbishing it. This year we are celebrating the Texas centennial. Those who came to Texas were greeted by some Indians. Not all of them were friendly but at least one tribe was, the Tejas. Those Indians were called Tejas because they were friendly; that's what Tejas means. My ancestor, Reverend Cloud, one of the first Episcopal priests in Texas, came to Texas in 1831 because of religious oppression. My middle name is Cloud and I bear it proudly. Austin is the "Friendly City", I was always taught when I was growing up: that's the name we take to symbolize the kind of City we are. The United States, over the last few years, has continued to take people in; victims of political oppression. Some of them have big names; Alexander Solzhenitsyn, from the Soviet Union, Anastasio Somoza, from Nicaragua, the Shah of Iran, when he needed medical treatment, Ferdinand Marcos. Some are right wing, some are left wing, but they were all fleeing political oppression. The religious ideals of our country, particularly first are the Jewish faith: are appropriate when we think about our highest ideals; Joseph in Egypt and Moses, refugees from political and religious oppression. The Jews have been dispersed throughout the world by oppression and they have found refuge in the United States; we thank God for that; the Christian faith, the words of Jesus of Nazareth, "I was a stranger and you took me in", those words that should grab the heart of everyone that has the religious tradition of Christianity as part of their hearts and souls and minds. All of this leads me to embrace the cause of those political refugees who now need our assistance from other lands; particularly from El Salvador and Guatemala, but also from Chile, perhaps Nicaragua, perhaps eventually the Union of South Africa, we don't know how that will turn out. This was a resolution intended to symbolize the continuance of

our welcome to political refugees to urge adoption by the United States government of legal and administrative standards that allow political refugees admission to the United States and also to urge compliance with the constitution, laws and treaty of the United States and regardless of the political demagoguery which has characterized it otherwise, that is and was and remains the intent of my resolution. Some objections have been raised to this resolution; first that it's not a City's business. Evidently the people that have raised that objection do not understand the Town Hall tradition in the United States. It's a great tradition: a tradition of discussing political issues of national, state, and local importance at the local level, in town meetings. I remember attending some of that type of meeting myself, held by our own Congressman, Jake Pickle, at one time. These people evidently think we're not taking care of traffic while we are doing this. For those who have some confusion about that, I would refer them to something already taken care of on tonight's agenda on page 8; . . . which we did take care of traffic signals quite well in the City of Austin and we will be glad to take care of any of the traffic needs that any of you, whether high or of lower state, want taken care of now or in the future. As a matter of fact, we think we do real well on traffic in Austin, compared to Houston, Dallas, or San Antonio. Now, no applause, thank you...now we've been also told that we should stay out of federal issues; I would say that first of all it's not a federal issue to extend a welcome to our community to anyone; I do it all the time here at this podium, with extensions of friendship, making people honorary citizens, extending a welcome to visitors in Austin, issuing proclamations. I've even issued some of those at the request of the Governor. We believe that issuing welcome to this community is our privilege and sometimes our duty. Now, having said that, let me say that at one time or another I've been told, from time-to-time and particularly I remember by T.V. Smith, who was an old professor of mine, that wherever you have a great crusade there is bound to be a little hypocrisy in it somewhere; and I think that's true; we've had a little, perhaps on both sides. The churches are certainly trying to do their work to welcome people, and it is their obligation under their religion to do so, to tend to the suffering, and the weak, and the oppressed, and if they ever go out of that business, they are out of the church and synagogue business for sure. I assured them that I didn't want them to break the law in doing so. Some of them, perhaps, want to do that anyway and it's a risk that they take, but it's not a risk that a public official can advise them to take; as part of the great tradition of religion, standing up to unjust laws, the Hebrew prophets did it, Jesus did it, and through the centuries martyrs have done it, but I think we ought to be honest about it when we decide to do it. Immigration Lawyers...we know you have a little interest in seeing a flow of business. I'm not saying you're totally motivated by that. Any good lawyer is motivated by more than the simple flow of business; we see a lot of them around here who give of their time, some of them are developer's lawyers who work on environmental ordinances and do a heck of a good job protecting the environment, so I assume an immigration lawyer could rise above the need for business to try to protect innocent people who are in a position of possible suffering,

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perhaps whose lives might be threatened. We have political objectives involved in this, of the left and of the right and perhaps we should recognize that that is the case, and then of course we have the press, which in addition to promoting the truth, also or quite often in the business of promoting a very good heavy weight fight; Perhaps some of them should go into the fight promotion business, and of course some of the simple minded treatment that we get anytime someone has 30 seconds to explain a very complex subject, but then we have some of the opposition, some of it based on bigotry and fear, anger and hostility, with an undercurrent of racism and selfishness which tries to raise itself to some patriotic zeal and take upon itself and take away from us the American flag, which we deserve just as much as they and maybe more so on occasions; and then we have the Immigration Officials who use such words as, "dumping on our doorstep", who in Los Angeles disgraced themselves with coercion, and who, in these situations evidently, thrived on epitomizing bureaucracy at it's very worst: a conspiracy of pettiness within government. And then we have the super patriots who label everyone as a "Communist Conspirator" no matter how pure their motives; to them Mother Teresa would undoubtedly be a conspirator. Then we have those who are absorbed by the fear of loss of jobs and I do have some pity for them, but the truth of the matter is that there was never an alien admitted to this country who was not a threat to someone else already in it; in terms of competition for jobs or economic advantage, and then last but not least, we had the political pygmies, who would have taken this issue truly for their own political gain to bring each one of themselves publicity and notoriety, and for no other reason; experts in misrepresentation and characterization of the motives of others without even taking the trouble to speak to those who they were criticizing. They certainly weren't confused by the information available to them. Now, all of those base and bases of motivations were involved here. I must say that of the two I certainly prefer the hypocrisies of the supporters to the base motivations of the detractors, and nothing has happened in this matter to make me less proud of my original objective; those objectives being to symbolize the continuing welcome of political refugees to this city and this country; to urge the adoption of legal and administrative standards that allow these persons admission to the United States and urge compliance to the constitution, laws, and treaties of the United States, and then of course even a politician might have an ethical or religious objective or two. Unfortunately, what this resolution has produced is a divided, emotional situation in our community...divided support for the resolution from the Council. Does that mean that this community and country turns its back on the suffering? Turns its back on those whose lives are threatened by political and religious oppression? If they came today, would we reject Andrei Sakharov, or Bishop Tutu? I think that what this situation now requires, because I am informed that there is divided support for this resolution, is that we take a different tack, and that we take this tack as individuals. For myself, I will continue to take the motto of Sam Houston, "Do right and risk the consequences". I will campaign against the inequality of the administration of the Immigration and Naturalization Service rules, which produces a disparity of only 3% being admitted from El Salvador, or 33% are admitted from

other countries, found more politically favorable. I will continue to welcome personally into this community, the politically persecuted, rich and poor, high and low. I will continue to support the police policies that we presently follow in this community, which are right policies for our community and I will continue to seek a solution to the problems of those who throughout this world seek to identify the United States on the continuing basis as a place of refuge, a place where we will recognize their freedom to speak, recognize their freedom to disagree and I say to you that this man who came here last week, the Lutheran Minister, formally an attorney in El Salvador, represents the fruit of that kind of policy. For those of you who continue to wish to take your course, you have the freedom to do that. I shall take mine and now because we do not have support to continue this hearing, it shall be called to a close and the resolution shall be withdrawn.

APPEAL WITHDRAWN

The appeal, scheduled to be heard at 3:00 p.m., from Cox Investment Builders of the Planning Commission's decision regarding Thurman Center Apartments, was withdrawn by the applicant.

PUBLIC HEARING - APPEAL

Mayor Cooksey opened the public hearing scheduled at 3:00 p.m. on an appeal of the Building Standards Commission Demolition orders on the structures located at 3125 East 12th Street #C and 3125 East 12th Street #D.

A representative of the Building Inspection Department showed slides of the property and told Council the staff recommends they deny the appeal.

The contractor for the applicant asked Council for 120 days so that he can bring the structures up to Code.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, closed the public hearing and allowed the applicant 120 days to bring structures to standard. (6-0 Vote, Mayor Pro Tem Trevino absent.)

HEARING POSTPONED

The hearing on Council Goals was postponed.

HEARING POSTPONED

Postponed until April 24, 1986 at 3:45 p.m. was the public hearing amending Chapter 13-3 (Subdivision) deleting the requirement that alleys and serviceways be provided for commercial and industrial sites and requiring that vehicular access for loading and unloading be provided. (Planning Commission did not have time to hear this at their last meeting.)

PUBLIC HEARING - ESTABLISHING "LO/W" LIMITED OFFICE/WAREHOUSE DISTRICT

Mayor Cooksey opened the public hearing set for 4:00 p.m. on an amendment to Chapter 13-2A, establishing "LO/W" Limited Office/Warehouse district.

Marie Gaines, Office of Land Development Services, stated, "The amendment is designed to provide some alternatives to standard commercial service district, the general retail district, and the "LI" limited industrial zoning. In the North Lamar Study and the Golden Triangle Study there were several tracts of land where property owners had identified an interest to locate office warehouse district but there was no choice other than to zone it commercial services. We think the district that is forwarded to you by the Planning Commission with some modifications proposed by the Zoning Oversight Committee will allow you the opportunity and flexibility to allow office warehousing in recommended locations when the case comes up for your consideration. This district has been forwarded to you. It should have an April 2 draft. The Commission considered this Tuesday night and recommended the draft unanimously. They did request that you be aware of the fact that the Zoning Oversight Committee had not yet considered the draft and forwarded that information to you. Ms. Frances Schenkkan, Chairman of the Commission, is here tonight to elaborate on that point. I also would like to point out to you that the Zoning Oversight Committee has provided a memo to you from the chairman and they asked for three things to be done to this base district: (1) Change the name to Warehouse/Office to more clearly define the type that is permitted in the district; (2) That you further modify the district provisions by allowing no more than a maximum FAR of .25; (3) That the height be a maximum of one story or 25 feet; (4) The interior side yards and rear yards be a maximum of 25 feet. In addition the building coverage be reduced from 50 to 40% and the impervious cover from 60% to 50%. In addition, as a final point, regarding the configuration of how this district ought to be shaped, a key element is where the loading dock should be located. The Zoning Oversight is recommending that the loading dock is placed somewhere other than the office entrance. All of these provisions, we feel, make an excellent example of an office warehouse district. Furthermore this district will be placed in the Code between the "CS" and "LI" Districts." Ms. Gaines went on to say the staff agrees and think they make an excellent example of an office/warehouse district.

Councilmember Shipman referred to memos which the Council received concerning site plan and loading dock. Ms. Gaines discussed them with her concerning language of the ordinance.

Betty Matou, Georgian Acres Neighborhood Association, said there should be a provision requiring office area to face the street.

Motion - FIRST READING ONLY

Councilmember Shipman made a motion to approve the ordinance as recommended by the Zoning Oversight Committee, noting that it will include reference to Section 6100 of the Zoning Ordinance which will include site plan and loading dock location and a minimum percentage of office space included in the site plan, and that the "or" on Page 2, the third sentence from the ending of the purposes shall read "or" when physical conditions as opposed to "and", and this shall be **FIRST READING ONLY**. Councilmember Urdy seconded the motion which passed by a vote of 6-0 with Mayor Pro Tem Trevino absent.

ZONING HEARINGS

Mayor Cooksey announced Council would hear zoning cases which had been scheduled for hearing at 4:00 and 5:00 p.m. Council heard and closed the public hearing on the first case. The second case was withdrawn and the third case was postponed until the May zoning cycle.

a. Recommended by the Planning Commission, As Requested:

<p>(1) -85 CITY OF AUSTIN 378 By Office of (part) Land Development Services</p>	<p>Mockingbird Hill Study, area generally bounded by North Lamar on the west, Ferguson and Grady Drives on the north, West and East Applegate on the south and I.H. 35 on the east</p>	<p>From "I-SF-2" To Tr. 1 "CS", Tr. 2 "GR", Tr. 3 "SF-2" Tr. 4 "LR" Tr. 5 "SF-3" <u>RECOMMENDED</u> <u>PASSED THROUGH FIRST</u> <u>READING ONLY</u> Tr. 4 "LR" Tr. 5 "SF-2"</p>
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Marie Gaines reviewed by means of slides.

There was no opposition to the zoning of Tract 4, but there was discussion of Tract 5. Jim McCully asked for "SF-3". John Oakes spoke against that category. Lucinda Leaver, 500 West Applegate spoke against "SF-3" because the neighborhood does not want duplexes. Ginger Baker was also against. Jim McCully returned to say he plans to live in the area and make it his homestead, therefore would keep the property in good condition.

b. Recommended by the Planning Commission, As Requested, With Conditions:

(2)	-85 JAMES D. & ANNE 388 M. WEAVER By Rudy Hopkins	141 West Oltorf	From "SF-3" To "NO" RECOMMENDED subject to dedication of up to 45' feet of right-of-way from centerline of West Oltorf Street. <u>WITHDRAWN BY APPLICANT</u>
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c. NO Recommendation by the Planning Commission: (NOT A QUORUM VOTE)

(3)	-85 JODI G. 250 WILLIAMSON, TRUSTEE By Harold Swann	8226-8240 Georgian Drive, 112-120 Powell Lane	From "GR", "CS" & "O" To "CS" NO RECOMMENDATION <u>BRING BACK IN THE MAY ZONING CYCLE</u>
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(On Councilmember Rose's motion, Councilmember Shipman's second,
6-0 Vote, Mayor Pro Tem Trevino absent.)

CONTRACTS APPROVED

The Council, on Councilmember Carl-Mitchell's motion,
Councilmember Humphrey's second, adopted a resolution approving
the following contract: (6-0 Vote, Mayor Pro Tem Trevino absent.)

PASCO LABS, INC.
12750 West Forty-second Avenue
Wheat Ridge, Colorado

- Reagent Rental, Brackenridge
Hospital
Twelve (12) Month Supply Agreement
Total \$37,200.00 BS6-138

The Council, on Councilmember Carl-Mitchell's motion, Council-
member Shipman's second, adopted a resolution approving the following
contract: (6-0 Vote, Mayor Pro Tem Trevino absent.)

WRIGHT-HANKEY, INC
1514 Ed Bluestein Blvd.
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Additions and Alterations to
Rosewood Recreation Center, Public
Works Department
Total \$301,200.00 C.I.P. No.
79/86-03

SOUTHWEST B WATER PRESSURE ZONE

The Council, on Councilmember Urdy's motion, Councilmember Rose's
second, waived the requirement for three readings and finally passed
an ordinance amending Ordinance No. 830210-H, changing the Southwest B
water pressure zone from 1,170 feet to 1,140 feet. (6-0 Vote, Mayor
Pro Tem Trevino absent.)

AUSTIN METROPOLITAN AREA ROADWAY PLAN

Mayor Cooksey opened the public hearing set for 6:00 p.m. on the Austin Metropolitan Area Roadway Plan. Council heard each segment recommended separately.

U.S. 183A

Ron Wood, County Commissioner, Williamson County, asked Council to adopt the amendment.

Mayor George Bowling, ex-Mayor of Cedar Park, spoke in favor. He said if 183A is not approved, most of the businesses in Cedar Park would be obliterated by the widening of 183.

Richard Finnell, president, Cedar Park Chamber of Commerce, asked for Council's endorsement.

Milton Gentry, resident of Lakewood Estates, said 183A would be only 700' from his house and he is against it.

Linda Hanson, Leander I.S.D. asked for further study.

Phil Savoy asked for an environmental assessment.

Motion

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, closed the public hearing on U.S. 183A and added the staff recommendation as an amendment to the Roadway Plan:

Addition of a freeway by-pass around the cities of Cedar Park and Leander. The by-pass would begin north of Lakeline Boulevard and Big State Hog Farm. It rejoins existing U.S. 183 between F.M. 2243 and the South Fork of the San Gabriel River. The Roadway Plan would be amended between F.M. 1431 and Lakeline Boulevard.

Friendly Amendment

Councilmember Carl-Mitchell offered a friendly amendment to include the recommendation of the Environmental Board and Urban Transportation and align the ETJ in the area. The amendment was accepted by Councilmember Rose.

Roll Call on Motion with Friendly Amendment

5-0 Vote, Councilmember Urdy out of the room, Mayor Pro Tem Trevino absent.

North Capital Parkway

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, closed the public hearing on North Capital Parkway and approved the addition of a new six-lane divided arterial on 120 feet of right-of-way from I.H. 35 to McNeil Road for a total of 4.4 miles. (6-0 Vote, Mayor Pro Tem Trevino absent.)

William Cannon Drive

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved alignment B, to realign William Cannon approximately .5 miles west of the adopted alignment and upgrade the road to six lanes with the arterial designation terminating at Boston Lane. (4-0 Vote, Councilmembers Rose and Urdy out of the room, Mayor Pro Tem Trevino absent.)

Parmer Lane

Bill Couch, representing NPC, said they would prefer bicycle lanes to be on Yager rather than Parmer Lane.

Janet Klotz appeared to say she was neither for nor against.

Motion

The Council on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, approved realignment of Parmer Lane approximately .5 mile north of the adopted alignment between I.H. 35 and Dessau Road with bicycle Lane moved to Yager Lane. (5-0 Vote, Councilmember Humphrey out of the room, Mayor Pro Tem Trevino absent.)

Harris Ridge Parkway

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, approved an extension of Harris Parkway (Heatherwild Boulevard) from Parmer Lane to I.H. 35 as a six lane divided roadway on 120 feet of right-of-way.

Lakeline Boulevard

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, approved an extension of Lakeline Boulevard (Neenah Avenue) from U.S. 183 to the City of Austin ETJ boundary as a four lane divided roadway on 90 feet of right-of-way; the roadway is included in districts recently approved by Williamson County; with a friendly amendment by Councilmember Carl-Mitchell for environmental roadway precautions. (5-0 Vote, Councilmember Humphrey out of the room, Mayor Pro Tem Trevino absent.)

Lake Creek Parkway

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, approved the addition of a new arterial from U.S. 183 to Davis Spring Road; the roadway is included in road districts recently approved by Williamson County and is approximately 2.5 miles, and shall be added to PRA. (5-0 Vote, Councilmember Humphrey out of the room, Mayor Pro Tem Trevino absent.)

ADJOURNMENT

Council adjourned its meeting at 11:08 p.m.

Bevan Blvd.